Docket No. BAF-15502/29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bret A. Ferree

Serial No.: 10/680,468 Group Art Unit: 3738

Filed: October 7, 2003

For: ARTIFICIAL DISC REPLACEMENT (ADR) USING ELASTIC TETHER MEMBER

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION (37 CFR 1.97(b))

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: January 26, 2004

Reg. No.: 37,424

Tel. No.: 734/913-9300

John G. Posa
GIFFORD, KRASS et al.
280 N. Old Woodward Ave., Ste 400
Birmingham, MI 48009
FAX 734/913-6007

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: January 26, 2004

Janice A. Lincourt

IPE JC25
JAN 28 2004
PATENT & TRADEMARK OFFICE

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INFORMATION DISCLOSURE STATEMENT

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Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Information Disclosure Statement be entered and the references listed on attached Form PTO-1449 be considered by the Examiner and made of record. An Information Disclosure Statement for U.S. Patents was previously filed electronically on January 26, 2004.

In accordance with 37 C.F.R. §1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possible material information as defined in 37 C.F.R. §1.56(a) exists. In accordance with 37 C.F.R. §1.97(h) this Information Disclosure Statement is not to be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

Respectfully submitted,

By _____
John G. Posa
Reg. No. 37,424

Date: January 26, 2004

GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON & CITKOWSKI, P.C. 280 N. OLD WOODWARD AVENUE, STE. 400, BIRMINGHAM, MICHIGAN 48009-5394 (248) 647-6000

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)	Application Number
BAF-15502/29	10/680,468
Applicant(s)	
Ferree	
Filing Date	**Group Art Unit**
October 7, 2003	3738

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

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JAN 28 2004
PATENT & TRADEMARK OFFICE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES	Translation NO
AB		WO 00/64385	11/2000	WIPO	A61F	2/44	✓	
AY		WO 0059412	10-12-2000	WIPO	A61F	2/44	✓	

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER	DATE CONSIDERED
Tyrone D Thurpi	7/20/05

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

OIPE JC163 JAN 26 2004 PATENT & TRADEMARK OFFICE

ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18
Stylesheet Version v18.0

Title of Invention	ARTIFICIAL DISC REPLACEMENT (ADR) USING ELASTIC TETHER MEMBER

Application Number: 10/680468
Confirmation Number: 5172
First Named Applicant: Bret Ferree
Attorney Docket Number: BAF-15502/29
Art Unit: 3738
Search string: (5389107 or 6508841 or 6527806).pn.

US Patent Documents

Note: Applicant is not required to submit a paper copy of cited US Patent Documents

init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass
	1	5389107	1995-02-14	Nassar et al		623	23
	2	6508841	2003-01-21	Martin et al		623	23.12
	3	6527806	2003-03-04	Ralph et al		623	17.16

Signature

Examiner Name	Date
	7/20/05

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Electronic Filing System (EFS) Data

Electronic Patent Application Submission

USPTO Use Only

EFS ID:	54274
Application ID:	10680468
Title of Invention:	ARTIFICIAL DISC REPLACEMENT (ADR) USING ELASTIC TETHER MEMBER
First Named Inventor:	Bret Ferree
Domestic/Foreign Application:	Domestic Application
Filing Date:	2003-10-07
Effective Receipt Date:	2004-01-26
Submission Type:	Information Disclosure Statement
Filing Type:	
Confirmation number:	5172
Attorney Docket Number:	BAF-15502/29

Total Fees Authorized:

Digital Certificate Holder: cn=Douglas Lessel Wathen,ou=Registered Attorneys,ou=Patent and Trademark Office,ou=Department of Commerce,o=U.S. Government,c=US
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Art Unit: 3738
Search string: (4309777 or 4759769 or 5458642 or 5676702 or 5989291 or 6136031 or 6296664 or 6315797 or 6520996 or 6022376 or 5002576 or 5865846 or 6001130 or 6156067 or 6063121).pn.

US Patent Documents

Note: Applicant is not required to submit a paper copy of cited US Patent Documents

init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass
	1	4309777	1982-01-12	Patil		623	17.13
	2	4759769	1988-07-26	Hedman et al		623	17.13
	3	5458642	1995-10-17	Beer et al		623	17.13
	4	5676702	1997-10-14	Ratron		623	17.16
	5	5989291	1999-11-23	Ralph et al		623	17.15
	6	6136031	2000-10-24	Middleton		623	17.16
	7	6296664	2001-10-02	Middleton		623	17.15
	8	6315797	2001-11-13	Middleton		623	17.16
	9	6520996	2003-02-18	Manasas et al		623	23.5
	10	6022376	2000-02-08	Assell et al		623	17.16
	11	5002576	1991-03-26	Fuhrmann et al		623	17.15
	12	5865846	1999-02-02	Bryan et al		128	898
	13	6001130	1999-12-14	Bryan et al		623	17.16
	14	6156067	2000-12-05	Bryan et al		623	17.15
	15	6063121	2000-05-16	Xavier et al		623	17.15

Signature

Examiner Name	Date
[signature]	7/20/05